

RECEIVED
CENTRAL FAX CENTER
DEC 10 2004

OGILVY
RENAULT

Facsimile

Our File: 9-13528-77US (KD/sm)

Confidentiality Message

This communication sent by facsimile is confidential, may be privileged and is intended for the exclusive use of the addressee. Any other person is strictly prohibited from disclosing, distributing or reproducing it. If the addressee cannot be reached or is unknown to you, please inform us immediately by telephone (613) 230-6072 at our expense and delete this message and all copies. Thank you.

Number of pages including cover letter: **10**
 Date: **December 10 2004**
 From: **Kent Daniels Reg. No. 44,206**
 Telephone: **(613) 780-8678**
 E-mail: **kdaniels@ogilvyrenault.com**

To:	Company	City	Fax
ART UNIT 2685 Examiner: Pablo N. TRAN	United States Patent Office – Facsimile Centre	Alexandria, VA	(703) 872-9306

Re: Serial No. **09/489,929**
 Inventor(s): **Richard LODGE, et al.**
 Title: **PACKET DATA TRAFFIC CONTROL FOR CELLULAR
 WIRELESS NETWORKS**

Response to Office Action of August 11, 2004 attached.

Barristers and Solicitors
 Patent and Trade-Mark Agents

45 O'Connor Street
 Suite 1700
 Ottawa, Ontario
 Canada K1P 1A4

Telephone (613) 230-6072
 Fax (613) 230-6706
 ogilvyrenault.com

Continuing the practices of
 Melglen Demers
 Ogilvy Renault
 Swabey Ogilvy Renault

Montréal • Ottawa • Québec • Toronto • Vancouver • London (England)

PTO/SB-17 (12-04)

Approved for use through 07/31/2006, OMB 0551-0032

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to furnish information to a collection of information unless it displays a valid OMB control number.

Effective on 12/08/2004. Fee pursuant to the Consolidated Appropriations Act, 2005 (P.L. 4818). FEE TRANSMITTAL For FY 2005		Complete if Known	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Application Number	09/489,929
TOTAL AMOUNT OF PAYMENT (\$)		Filing Date	01/24/2000
		First Named Inventor	Richard LODGE
		Examiner Name	Pablo N. TRAN
		Art Unit	2685
		Attorney Docket No.	9-13528-77US

METHOD OF PAYMENT (check all that apply)	
<input type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> None <input type="checkbox"/> Other (please identify): _____	
<input checked="" type="checkbox"/> Deposit Account Deposit Account Number: 19-5113 Deposit Account Name: Ogilvy Renault	
For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)	
<input checked="" type="checkbox"/> Charge fee(s) indicated below <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee	
<input checked="" type="checkbox"/> Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 <input checked="" type="checkbox"/> Credit any overpayments	
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2036.	

FEE CALCULATION							
1. BASIC FILING, SEARCH, AND EXAMINATION FEES							
FILING FEES		SEARCH FEES		EXAMINATION FEES			
Application Type	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fees Paid (\$)
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	
2. EXCESS CLAIM FEES							
Fee Description		Fee (\$)		Small Entity Fee (\$)			
Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent		50		25			
Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent		200		100			
Multiple dependent claims		360		180			
Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims			
- 20 or HP =		x	=	Fee (\$)	Fee Paid (\$)		
HP = highest number of total claims paid for, if greater than 20							
Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)				
- 3 or HP =		x	=				
HP = highest number of independent claims paid for, if greater than 3							
3. APPLICATION SIZE FEE							
If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).							
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)			
- 100 =		/ 50 =	(round up to a whole number) x	=			
4. OTHER FEE(S)							
Non-English Specification, \$130 fee (no small entity discount)				Fees Paid (\$)			
Other: 1 Month Extension Fee 1251						120	

SUBMITTED BY		Registration No. 44,206	Telephone 613-780-8673
Signature 	Name (Print/Type) Kent Daniels	Date December 10, 2004	

This collection of information is required by 37 CFR 1.138. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PTO/SB/17 (12-04)

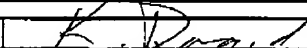
Approved for use through 07/31/2006. OMB 0651-0032
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no person is required to respond to a collection of information unless it displays a valid OMB control number.

Effective on 12/08/2004 Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818): FEE TRANSMITTAL For FY 2005 <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Complete if Known Application Number: 09/489,929 Filing Date: 01/24/2000 First Named Inventor: Richard LODGE Examiner Name: Pablo N. TRAN Art Unit: 2685 Attorney Docket No.: 9-13528-77US	
TOTAL AMOUNT OF PAYMENT (\$) 120			

METHOD OF PAYMENT (check all that apply) <input type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> None <input type="checkbox"/> Other (please identify): _____ <input checked="" type="checkbox"/> Deposit Account Deposit Account Number: 19-5113 Deposit Account Name: Ogilvy Renault For the above-identified deposit account, the Director is hereby authorized to: (check all that apply) <input checked="" type="checkbox"/> Charge fee(s) indicated below <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee <input checked="" type="checkbox"/> Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 <input checked="" type="checkbox"/> Credit any overpayments	
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.	

FEE CALCULATION 1. BASIC FILING, SEARCH, AND EXAMINATION FEES																																																													
<table border="1"> <thead> <tr> <th rowspan="2">Application Type</th> <th colspan="2">FILING FEES</th> <th colspan="2">SEARCH FEES</th> <th colspan="2">EXAMINATION FEES</th> <th rowspan="2">Fees Paid (\$)</th> </tr> <tr> <th>Fee (\$)</th> <th>Small Entity Fee (\$)</th> <th>Fee (\$)</th> <th>Small Entity Fee (\$)</th> <th>Fee (\$)</th> <th>Small Entity Fee (\$)</th> </tr> </thead> <tbody> <tr> <td>Utility</td> <td>300</td> <td>150</td> <td>500</td> <td>250</td> <td>200</td> <td>100</td> <td></td> </tr> <tr> <td>Design</td> <td>200</td> <td>100</td> <td>100</td> <td>50</td> <td>130</td> <td>65</td> <td></td> </tr> <tr> <td>Plant</td> <td>200</td> <td>100</td> <td>300</td> <td>150</td> <td>160</td> <td>80</td> <td></td> </tr> <tr> <td>Reissue</td> <td>300</td> <td>150</td> <td>500</td> <td>250</td> <td>600</td> <td>300</td> <td></td> </tr> <tr> <td>Provisional</td> <td>200</td> <td>100</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> <td></td> </tr> </tbody> </table>								Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Utility	300	150	500	250	200	100		Design	200	100	100	50	130	65		Plant	200	100	300	150	160	80		Reissue	300	150	500	250	600	300		Provisional	200	100	0	0	0	0	
Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)																																																						
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)																																																							
Utility	300	150	500	250	200	100																																																							
Design	200	100	100	50	130	65																																																							
Plant	200	100	300	150	160	80																																																							
Reissue	300	150	500	250	600	300																																																							
Provisional	200	100	0	0	0	0																																																							
2. EXCESS CLAIM FEES																																																													
<table border="1"> <thead> <tr> <th>Fee Description</th> <th>Fee (\$)</th> <th>Small Entity Fee (\$)</th> </tr> </thead> <tbody> <tr> <td>Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent</td> <td>50</td> <td>25</td> </tr> <tr> <td>Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent</td> <td>200</td> <td>100</td> </tr> <tr> <td>Multiple dependent claims</td> <td>360</td> <td>180</td> </tr> </tbody> </table>							Fee Description	Fee (\$)	Small Entity Fee (\$)	Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent	50	25	Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent	200	100	Multiple dependent claims	360	180																																											
Fee Description	Fee (\$)	Small Entity Fee (\$)																																																											
Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent	50	25																																																											
Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent	200	100																																																											
Multiple dependent claims	360	180																																																											
<table border="1"> <thead> <tr> <th>Total Claims</th> <th>Extra Claims</th> <th>Fee (\$)</th> <th>Fee Paid (\$)</th> <th>Multiple Dependent Claims</th> <th>Fee (\$)</th> <th>Fee Paid (\$)</th> </tr> </thead> <tbody> <tr> <td>- 20 or HP =</td> <td>x</td> <td>=</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td colspan="7">HP = highest number of total claims paid for, if greater than 20</td> </tr> <tr> <td>Indep. Claims</td> <td>Extra Claims</td> <td>Fee (\$)</td> <td>Fee Paid (\$)</td> <td></td> <td></td> <td></td> </tr> <tr> <td>- 3 or HP =</td> <td>x</td> <td>=</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td colspan="7">HP = highest number of independent claims paid for, if greater than 3</td> </tr> </tbody> </table>							Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims	Fee (\$)	Fee Paid (\$)	- 20 or HP =	x	=					HP = highest number of total claims paid for, if greater than 20							Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)				- 3 or HP =	x	=					HP = highest number of independent claims paid for, if greater than 3																			
Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims	Fee (\$)	Fee Paid (\$)																																																							
- 20 or HP =	x	=																																																											
HP = highest number of total claims paid for, if greater than 20																																																													
Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)																																																										
- 3 or HP =	x	=																																																											
HP = highest number of independent claims paid for, if greater than 3																																																													
3. APPLICATION SIZE FEE If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s). <table border="1"> <thead> <tr> <th>Total Sheets</th> <th>Extra Sheets</th> <th>Number of each additional 50 or fraction thereof</th> <th>Fee (\$)</th> <th>Fee Paid (\$)</th> </tr> </thead> <tbody> <tr> <td>- 100 =</td> <td>/ 50 =</td> <td>(round up to a whole number) x</td> <td>=</td> <td></td> </tr> </tbody> </table>								Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)	- 100 =	/ 50 =	(round up to a whole number) x	=																																													
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)																																																									
- 100 =	/ 50 =	(round up to a whole number) x	=																																																										
4. OTHER FEE(S) Non-English Specification, \$130 fee (no small entity discount) Other: 1 Month Extension Fee 1251																																																													
							120																																																						

SUBMITTED BY Signature:  Name (Print/Type): Kent Daniels		Registration No. (Attorney/Agent): 44,206	Telephone: 613-780-8673 Date: December 10, 2004
--	--	---	--

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**RECEIVED
CENTRAL FAX CENTER**

005

DEC 10 2004**PATENT APPLICATION****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****In re Application of :**
Richard LODGE, et al**Attorney Docket No.**
9-13528-77US**Serial No:** 09/489,929**Group Art Unit:** 2685**Filed:** 24/01/2000**Examiner:** Pablo N. Tran**For:** PACKET DATA TRAFFIC CONTROL FOR CELLULAR WIRELESS
NETWORKS**Assistant Commissioner for Patents**
Washington, D.C. 20231**BOX - NON-FEE AMENDMENT/RESPONSE****Sir:****AMENDMENT UNDER 37 C.F.R § 1.111**

In response to the Office Action mailed August 11, 2004, the one month extended period for response being December 11, 2004, please consider the following:

Remarks/Arguments begin on page 2 of this paper.